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10/620,797	07/17/2003	David Chinner	1252.1080	8455

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EXAMINER
ROSE, HELENE ROBERTA

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/620,797	CHINNER ET AL.
	Examiner	**Art Unit**	
	Helene Rose	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>02 March 2007</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-28</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-28</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>17 July 2003</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Detailed Action

1.   In response to communication filed on 3/2/2007, No claims were amended; No

claims were added; and No claims were cancelled. Therefore, Claims 1-28 is presently

pending.

2.   Applicant's arguments filed with respect to the rejected claims have been fully

considered but they are not persuasive.

Claims Rejections –35 U.S.C 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made to
> a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

4.   Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Clayton et al (US Patent No. 6,971,101, Filing Date: September 12, 2000) in view of

Nakaoka et al (US Patent No. 6,092,048, Date of Patent: July 18, 2000).

Claims 1,11, and 20:

        Regarding claims 1,11, and 20, Clayton teaches at least one computer readable

medium storing at least one program embodying a method of processing requests to

access computing resources (see Figure 1, all features, Clayton), said method comprising:

scheduling execution of the resource acquisition requests (column 3,lines 49-61,

Clayton)

Clayton discloses a scheduling execution of the resource acquisition request as

stated above.

However, Clayton does not disclose in accordance with a user configurable

metering.

On the other hand, Nakaoka discloses a user configurable metering (see abstract,

wherein each of a plurality of client machines includes a task information

display/operation unit, which enables each user to operate information during a task, is

executed. A task execution support system supports the user such that the user can

execute a task while determining the contents of action and the procedure of action in

accordance with a progress of a task without defining a series of action procedure from

the start to end of a task with all sorts of actions in the task listed-up as a network type

flow before a task to be supported is started, Figure 25, all features, further defined in

column 8, lines 37-65, wherein defined in the applicant's remarks on page 7, the a "user

configurable metering" would be the ability of a user to configure how the focus manager

determines the number of request of a given priority should be executed, Nakoma).

It would have been obvious to one of the ordinary skill in the art at the time of the

invention to incorporate a user configurable metering disclosed by Nakaoka within

Clayton system for a faster execution, and efficiency for processing numerous amounts of

request that may be made by a user.

Claims 2,12, and 21:

Regarding claims 2,12,and 21, Clayton in view of Nakaoka teaches a method

further comprising sorting the resource acquisition requests into at least two separate

queues for different request types (Figure 7, all features further defined in column 10,

lines 45-59, wherein the field 7020 shows a code indicative of **type of task** object

operation which represents the time that the event condition wants to indicate and

wherein field 7030 shows a task ID to which there belongs an operation target task object

of a task object operation expressing the time that the event condition wants to indicate

and field 7040 shows a title of an operation target task object of a task object operation

which expresses the time that the event condition wants to indicate and when the task

object operation indicates the completion of the task, the field 7030 shows the task object

which is to be completed, and the field 7040 is not significant, and wherein paragraph

[0006] of applicants specification on page 8 of applicants remarks, the resource

acquisition requests may be **sorted** by read, write and metadata requests and, and by

different subtypes within these types, e.g., within read requests by whether a read-ahead

operation should be performed, or whether a write contains data or only a

synchronization request that sorted by type; column 5, lines 49-67, Figure 8, wherein the

event types are defined; column 6, lines 17-20, wherein client creates new task entries n

order to write respective chapters; column 8, lines 4-12, wherein he task information

management unit 1020 is adapted to read task information from the task information

memory unit 1010 and to change memorized task information in accordance with a task

information reference/operation request issued from the task information

display/operation unit 1030 or the event rule driver unit 1040. Nakaoka).

Claims 3,13, and 22:

Regarding claims 3,13, and 22, Clayton in view of Nakaoka teaches a method

further comprising configuring metering of the resource acquisition requests in response

to input from an administrator of the system (column 4, lines 27-35; column 14, lines 30-

35, wherein the user designates an execution action, which is equivalent to a user control

over how all request are executed as defined on page 8, of applicants remarks, Nakaoka)

Claims 4,14, and 23:

Regarding claim 4, 14, and 23, Clayton in view of Nakaoka teaches wherein said

configuring includes specifying a first number (column 5, lines 49-51, Clayton) of the

resource acquisition requests from a first queue to be performed (column 6, lines 13-15,

Clayton) for a second number (column 5, lines 51-53, Clayton) of the resource

acquisition requests from a second queue (column 6, lines 15-17, Clayton), as long as the

resource acquisition requests are queued in both the first and second queues (Figure 24,

all features, further defined in column 20, lines 19-44, Nakaoma).

Claims 5,15, and 24:

Regarding claims 5,15, and 24, Clayton teaches wherein said configuring includes

specifying a corresponding number of the resource acquisition requests to be executed for

each of the at least two separate queues (column 6, lines 10-13, Clayton) when more than

two of the separate queues are provided (column 6, lines 1-10, Clayton).

Claims 6,16, and 25:

Regarding claims 6,16, and 25, Clayton in view of Nakaoka teaches a method

further comprising establishing a maximum number of threads (column 1,lines 55-67,

wherein a thread is defined as a process that is part of a large process or program,

Clayton) for executing resource acquisition requests in response to the input from the

administrator (column 7, lines 47-56, Clayton).

Claims 7,17, and 26:

Regarding claims 7,17, and 26, Clayton in view of Nakaoka teaches wherein the

maximum number of threads for executing resource acquisition requests is at least as

large as a sum of the first and second numbers (columns 7-8, lines 61-67 and lines 1-13,

wherein a five minute difference between time and implementation time, Clayton)

Claims 8,18, and 27:

Regarding claims 8,18, and 27, Clayton in view of Nakaoka teaches wherein the

first and second numbers are each larger than one (column 5, lines 13-15, wherein there

is a zero, first, and second priority, Clayton).

Claims 9,19,and 28:

Regarding claims 9,19, and 28, Clayton in view of Nakaoka teaches wherein a

default metering is used when no input is received from the administrator (column 8,

lines 21-39, wherein attempt is made to take over the user interface and only allows when

an acknowledgement is made, Clayton).

Claim 10:

Regarding claim 10, Clayton in view of Nakaoka teaches wherein the first queue is

for read requests, the second queue is for write requests and the default metering is two

read requests for two write requests (column 2, lines 17-34, wherein an open network is

able to read requests and write requests and column 4, lines 53-59, Clayton) executed by

four threads (see Figure 1, all features, wherein threads is defined as a process that is part

of a large process or program, Clayton).

Examiner Response to Applicant Arguments

Applicant States/Argues:

In the September 29, 2006 Office Action, the Examiner noted that claims 1-28 were

pending in the application and rejected claims 1-28 under 35 U.S.C. § 103(a). In rejecting

the claims, U.S. Patents 6,971,101 to Clayton et al. and 6,092,048 to Nakaoka

(References A and C, respectively) were cited. Claims 1-28 remain in the case. The

rejections are traversed below.

In rejecting claims 1, 11 and 20, it was acknowledged that Clayton et al. "does not

disclose ... user configurable metering" (September 29, 2006 Office Action, page 3, lines

4-5) as recited at claim 1, lines 3-4. However, it was asserted that Nakaoka in the

Abstract, Fig. 25 and column 8, lines 37-65 disclosed user configurable metering. Most

of the words on the last ten lines of the Abstract in Nakaoka appear on page 3, lines 6-12

of the Office Action, while "defined in the applicant's remarks on page 7, the ... 'user

configurable metering' would be the ability of a user to configure how the focus manager

determines the number of request[s] of a given priority should be executed" appears on

page 3, lines 13-15 of the Office Action. Finally, it was asserted that incorporating what

is disclosed by Nakaoka into the system taught by Clayton et al. would have been

obvious "for a faster execution, and efficiency for processing numerous amounts of

requests that may be made by a user" (Office Action, page 3, lines 18-19).

It is submitted that <u>Nakaoka</u> fails to overcome the acknowledged lack of teaching or suggestion in <u>Clayton et al.</u> that a user can configure how the "focus manager 206" determines the number of requests of a given priority should be executed. The Examiner apparently believes that the statement in the Abstract of <u>Nakaoka</u> that the "task execution support system supports the user such that the user can execute a task while determining the contents ... and ... procedure ... in accordance with ... progress of...task without defining a ... procedure from the start to end of a task" (Abstract, lines 7-12) would suggest modification of <u>Clayton et al.</u> to meet the limitations recited in the independent claims. However, the Abstract of <u>Nakaoka</u> appears to be talking about a system that simplifies defining the procedure performed by a task. This does not seem to have anything to do with determining the number of requests of a given priority that should be executed by the focus manager 206 in <u>Clayton et al.</u> or doing anything "in accordance with user configurable metering" (e.g., claim 1, last 2 lines). Thus, Applicants do not understand how the statements in the Abstract of <u>Nakaoka</u> are related to configuring the "focus manager 206" of <u>Clayton et al.</u> "user configurable metering" as recited in the claims.

Figure 25 of <u>Nakaoka,</u> which is described in the cited portion of column 8 and presumably was cited as illustrating the sentences in the Abstract of <u>Nakaoka</u> cited in the rejection, appears to show the ability of a user to select a task from task list 1520 and the ability to display a task property in section 1530 and a task action in section 1540.

Nothing has been found in Fig. 25 or its description in the cited portion of column 8 that

suggests to the Applicants any modification of Clayton et al. to provide for user

configuration of the focus manager 206. Therefore, it is submitted that claims 1, 11 and

20, as well as claims 2-10, 12-19 and 21-28 which depend therefrom, patentably

distinguish over Clayton et al. in view of Nakaoka for at least the reasons discussed in the

Amendment filed July 11,2006 (the date "26 July 2006" mentioned in the Office Action

Summary is presumably the date the Amendment was delivered to the Examiner, or some

other internal date at the U.S. Patent and Trademark Office).

Examiner Response:

To further clarify the rejection mailed out 9/29/2007 ~ as it relates to the limitation

"scheduling execution of the resource acquisition request in accordance with a user

configurable metering".

SEE Clayton, column 5, lines 4-45, wherein focus manager 206 includes a queue

250 and a means of assigning ticket identifier 264 to selectable entity 212 and Queue 250

comprises any number of priority levels, which can include without limitation, any

number of sub-queues, and the priority level to which asynchronous request 209 is

assigned determines when corresponding asynchronous entity 214 will be able to utilize

any of plurality of user interface device resources and wherein queue 250 includes three

priority levels, or sub queues, which include 0 time priority level 252, 1st time priority

level 254 and 2nd time priority level 256 and any number or type of priority levels 252,

254, 256 are within in the scope of the invention and when selectable entity 212 is called,

focus manger 206 assigns ticket identifier 264 to selectable entity 212, wherein the ticket

identifier 264 can determine which of selectable entity 212 can, or is able to, utilize any

of plurality of user interface device resources, and wherein focus manager 206 assigns

ticket identifier 264 to selectable entity 212 when selectable entity 212 is selected via

user interface device 110, and once ticket identifier 264 is obtained, selectable entity 212

must also choose to take over and utilize plurality of user interface device resources **AND**

WHEREIN the focus manager 206 stores asynchronous request 209 in queue 250 and

assigns a priority level 252, 254, 256, wherein for example, asynchronous request 209

can have a 0 time priority associated with it, meaning that asynchronous request 209 is

urgent and that corresponding asynchronous entity 214 must utilize plurality of user

interface device resources immediately and therefore, asynchronous request 209 is placed

in 0 time priority level 252 and if asynchronous request 209 is less urgent, it can be

placed in 1st time priority level 254, 2nd time priority level 256, and the like, based on

the priority level associated with asynchronous request 209, wherein this is interpreted to

be equivalent to a "resource acquisition request", and wherein Queue 250 (as stated

above) comprises any number of priority levels, which can include without limitation,

any number of sub-queues, wherein this is interpreted to be "a query that is used within

another query, wherein this can be where the second query was created using the first as

the data source", and interpreted to be equivalent to "read and write request that are

queued" and interpreted to be correspond to "specifying a first number of read request to

be performed for a second number of write request as long as there are both read and

write request that are queued", as defined within applicant specification, paragraph

[0010], and therefore overall equivalent to "scheduling execution of the resource

acquisition request".

In reference to Nakaoka, relating to the limitation "user configurable metering",

and defined in applicant specification within paragraph [0010], to be a method of

processing resource acquisition requests, including scheduling execution of the resource

acquisition requests in accordance with user configurable metering. Preferably, the

resource acquisition requests are sorted into queues with at least one queue for read

requests and at least one queue for write requests. At least one other queue may be

provided for metadata resource acquisition requests. Preferably, metering of the resource

acquisition requests is configured in response to input from an administrator of the

system, by specifying a first number of read requests to be performed for a second

number of write requests, as long as there are both read and write requests that are

queued.

Nakaoka teaches, "metering of the resource acquisition requests is configured in

response to input from an administrator of the system", addressed from applicant

specification and as it relates to an administrator of the system, which is interpreted to be

equivalent to the "user configurable metering" as claimed ~ SEE Nakoka, columns 3-4,

respectively, wherein this reads over "user who is the beginner of the task can create a

task entry and can create the work entry expressing the work decided at that time and the

event rule expressing the work procedure for the task and the user can manage the

progress of the task and execute the work and the user is in accordance with the task

execution support system, wherein the task execution support system discloses a means

for memorizing a task execution responsible person who is in charge of the execution of

the task for each task entry as illustrated in Figure 2, all features, which is interpreted to

be equivalent to "administrator", and wherein Figure 2, diagram 2030, illustrates task that

isn't completed, and Figure 7, diagram 7020, illustrates task completed and diagram

7040, illustrates a deadline for a task, and column 10, lines 38-44, wherein to operate task

object means to start or complete action, wherein this is overall equivalent to "metering

of the resource acquisition requests is configured in response to input from an

administrator of the system.

Therefore, the citation cited above (Clayton in view of Nakaoka) reads on

applicant's limitation ""scheduling execution of the resource acquisition request in

accordance with a user configurable metering".

The examiner recognizes that obviousness can only be established by combining

or modifying the teachings of the prior art to produce the claimed invention where there

is some teaching, suggestion, or motivation to do so found either in the references

themselves or in the knowledge generally available to one of ordinary skill in the art. See

In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d

347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, It would have been obvious to one

of the ordinary skill in the art at the time of the invention to incorporate Nakaoka

teachings into Clayton system. A skilled artisan would have been motivated to combine

as suggest by Nakaoka [column 1, lines 4-7] for establishing an improved method of

improving the efficiency of the system by enhancing the query performance by utilizing

an administrator to delegate and operate resources.

Applicant States/Argues:

In rejecting claims 2, 12 and 21, Figs. 7 and 8 and portions of columns 5, 6, 8 and 10 of

Nakaoka were cited. The addition of these portions of the disclosure in Nakaoka does not

help Applicants understand why Nakaoka was cited. Figure 7 is described as "an event

condition table" (column 6, line 61) and indicates that tasks are targets of events, which

have various types and may be associated with a title of a target object. The portion of the

description of Fig. 7 cited at column 10, lines 45-59 states that the fields in the first

column are identifiers, and the fields in the remaining three columns either represent or

express "the time that the event condition wants to indicate" (e.g., column 10, lines 50-

51) As noted above and in the July 10, 2006 Amendment, one aspect of the invention

missing from Clayton et al. is providing a way for a user to configure how the focus

manager determines the number of requests of a given priority should be executed. It is

not understood how anything that expresses or represents "the time that the event

condition wants to indicate" would be relevant to what is missing from Clayton et al.

Furthermore, it is not understood how Fig. 7 and column 10, lines 45-59 of Nakaoka is

relevant to sorting "the resource acquisition requests into at least two separate queues" as

recited in these claims. The fact that the sorting in claims 2, 12 and 21 is performed based

on "different request types" is hardly suggested by the listing of event types in the event

condition table. Figure 8 and column 5, lines 49-67 were apparently cited in rejecting

claims 2, 12 and 21 to show how "the event types are defined. However, the list of event

types in Fig. 8 do not seem to have anything to do with either "resource acquisition

requests" as recited in Claims 2, 12 and 21 or the focus manager 206 in Clayton et al.

which the Examiner has acknowledged needs to be modified to suggest the broadest

recitation of the invention in claims 1, 11 and 20. While column 5 does mention "the task

is classified based on the task definition, according to the method of classifying the task

based on the object information" (column 5, lines 57-60), no suggestion has been found

that tasks can be equated with "resource acquisition requests" or that the classification

described in Nakaoka constitutes sorting based on "different request types" as recited in

claims 2, 12 and 21. The same lack of suggestion to modify the focus manager 206 in

Clayton et al. or sort resource acquisition requests has been found in the description of

creating "new task entries ... to write respective chapters" (Office Action, page 4, lines

15-16) which apparently is what was considered relevant in column 6, lines 17-20 of

Nakaoka and reading "task information ... to change memorized task information in

accordance with a task information reference/operation request issued from the task

information display/operation unit 1030 or the event rule driver unit 1040" (Office

Action, page 4, lines 17-20) which apparently is what was considered relevant in column

8, lines 4-12 of Nakaoka. For the above reasons, it is submitted that claims 2, 12 and 21

further patentably distinguish over Clayton et al. in view of Nakaoka. The wording of the

rejection of the remaining claims, 3-10, 13-19 and 22-28, was unchanged from the

January 11, 2006 Office Action, except for the addition of the words "in view of

Nakaoka" in regard to all of the rejections, except for the rejection of claims 5, 15 and 24.

It is submitted that that the additional distinctions over the prior art due to the lack of

equivalence between the present invention and Clayton et al. discussed in the July

11,2006 Amendment also apply to the rejections based on Clayton et al. and Nakaoka.

Examiner Response:

Claims 2, 12, and 21, wherein the limitation "sorting the resource acquisition

request into at least two separate queues for different types".

SEE Nakaoka ~ Figure 7, all features further defined in column 10, lines 45-59,

wherein the field 7020 shows a code indicative of **type of task** object operation which

represents the time that the event condition wants to indicate and wherein field 7030

shows a task ID to which there belongs an operation target task object of a task object

operation expressing the time that the event condition wants to indicate and field 7040

shows a title of an operation target task object of a task object operation which expresses

the time that the event condition wants to indicate and when the task object operation

indicates the completion of the task, the field 7030 shows the task object which is to be

completed, and the field 7040 is not significant, and column 6, lines 17-20, wherein client

creates new task entries n order to write respective chapters and lines 39-50, wherein this

reads over "the task is hierarchized my the main task and subtask structure base don a

object among the task", wherein hierarchized is interpreted to be a way of ranking and

organizing, which is interpreted to "sorting"; column 8, lines 4-12, wherein he task

information management unit 1020 is adapted to read task information from the task

information memory unit 1010 and to change memorized task information in accordance

with a task information reference/operation request issued from the task information

display/operation unit 1030 or the event rule driver unit 1040.

Also, See Clayton ~ column 5, lines 4-45, wherein focus manager 206 includes a

queue 250 and a means of assigning ticket identifier 264 to selectable entity 212 and

Queue 250 comprises any number of priority levels, which can include without

limitation, any number of sub-queues, wherein Queue 250 comprises any number of

priority levels, which can include without limitation, any number of sub-queues, wherein

this is interpreted to be "a query that is used within another query, wherein this can be

where the second query was created using the first as the data source", and interpreted to

be equivalent to be two separate queues for two different request types, wherein the

request types are the different priority levels, wherein this is interpreted to be equivalent

to "sorting the resource acquisition request into at least two separate queues for different

types".

Examiner further States:

Any arguments not addressed is due to the fact that "Applicant does not clearly

define what the prior art (Nakaoka and Clayton) of record does not teach".

Examiner states that all arguments in reference to prior art of record, must be

clearly specified as to wherein the arguments clearly states: "prior art does not teach or

suggest", or does not describe", and so forth.

Therefore, applicant is reminded that all statements and remarks regarding the

difference between the two are considered to be "blanket statements", in which

arguments are not clearly conveyed to the examiner.

Applicant Request for Examiner Interview

Given the Applicants' inability to understand why Nakaoka was believed by the

Examiner to suggest modification of Clayton et al. and the additional details recited in

claims 2, 12 and 21, the Examiner is respectfully requested to contact the undersigned by

telephone to arrange an Interview prior to further examination of the claims, unless the

next Office Action does not rely on Nakaoka in rejecting the claims.

Examiner Response:

In regards to an Interview, An interview should normally be arranged for in

advance, as by letter, facsimile, electronic mail, telegram or telephone call, in order to

insure that the primary examiner and/or the examiner in charge of the application will be

present and available in the Office.   When applicant is initiating a request for an

interview, an "Applicant Initiated Interview Request" form (PTOL-413A) should be

submitted to the examiner prior to the interview in order to permit the examiner to

prepare in advance for the interview and to focus on the issues to be discussed. This form

should identify the participants of the interview, and the proposed date of the interview.

Prior Art of Record

1. Clayton et al (US Patent No. 6,971,101) discloses a resource acquisition requests for a

file system are executed under user configurable metering, wherein as resource

acquisition requests are received by a file system server, the resource acquisition requests

are sorted into queues, e.g., where read and write requests have at least one queue for

each type, plus a separate queue for metadata requests as they are executed ahead of any

waiting read or write request, wherein the file system server controls execution of the file

system resource acquisition requests to maintain the ratio set by the system administrator.

2. Larson (US Patent No. 6, 754,690) discloses a time-partitioned system for accounting

for processor time consumed by operating system services provided on behalf of an

application running in a real-time environment, wherein the time utilized by the operating

system is treated as being application processing time, rather than viewing the resultant

processor time consumed as an operating system overhead.

3. Nakaoka (US Patent No. 6,092,048) discloses a task management server.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of

time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than

SIX MONTHS from the mailing date of this final action.

Point of Contact

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Helene R. Rose whose telephone number is (571) 272-

0749. The examiner can normally be reached on 8:00am - 4:30pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the

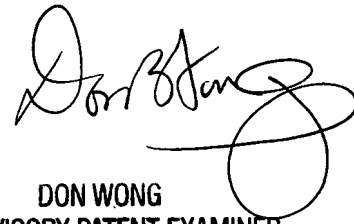organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

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